IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE NO. 1277 OF 2001
IN
SUIT NO. 3704 OF 1991

Canara Bank ...Plaintiffs
V/s.
M/s.Design Unit & Ors. ...Defendants

Ms.Yamini Chandran i/b. Umesh Shetty & Co. for the Plaintiffs.

CORAM : SMT.R.S. DALVI, J.

DATED : JANAURY 18, 2007

P.C. :-

. Exparte decree came to be passed in the above suit on 19th March, 1997. Since the execution was not levied within two years, notice under Order XXI Rule 22 of the CPC taken out which has been served by Registered Post upon the defendants on 22nd August, 2002. The postal acknowledgement has been signed by defendant no.2 as proprietor of defendant no.1 at his residential address. The packets sent to the business address of defendant no.1 has been returned with the endorsement "Not claimed". This notice is not taken out against defendant no.3. No reply is filed despite service by defendant nos.1 and 2. Notice is made absolute against defendant nos.1 and 2 as prayed. Execution to proceed.

(Smt.R.S. Dalvi, J.)